

ACS/RUS MEETING

MAY 6, 2010

ENVIRONMENTAL REVIEW

**TELECOMMUNICATION
PROJECTS**

DISCUSSION

- **ER INFORMATION**
- **PROJECT DESCRIPTIONS**
- **EXISTING ROW VERSUS NO ROW**
- **TOWNS/SUBDIVISIONS**
- **WHO TO CONTACT**
- **AGENCY CONTACT VERSUS NO AGENCY CONTACT**

PROJECT TYPES

- **FIBER OPTIC CABLE**
- **COMMUNICATION TOWERS**

FORMAT of ER

- **Project Description)**
- **Purpose and Need**
- **Alternatives to Proposed Action**
- **Affected Environment & Environmental Consequences)**
- **Summary of Mitigation**
- **Correspondence & Coordination**

PROJECT DESCRIPTIONS

- **PROJECT TYPE: NEW VRS EXISTING**
- **LOCATION: COUNTIES/STATE**
- **NORMAL CONSTRUCTION METHODS:
AERIAL OR UNDERGROUND**
- **U.S.G.S. MAPS**
- **STATE HIGHWAY MAPS**
- **PHOTOGRAPHS**
- **AERIAL PHOTOGRAPHY**

PROJECT DESCRIPTIONS

- **EXISTING HIGHWAY ROW**
- **NEW ROW**
- **EXISTING UTILITY POLES**
- **UTILITY EASEMENTS**

PROJECT DESCRIPTIONS

- **PROJECT AREA DESCRIPTION**
- **SITE/ROW CLEARING REQUIRED**
- **INDIVIDUAL PROJECT DESCRIPTION
RATHER THAN GROUPED
DESCRIPTIONS**

PROJECT DESCRIPTION

GROUPED PROJECT EXAMPLE

– 300 MILES OF FIBER OPTIC CABLE

INDIVIDUAL PROJECT EXAMPLE

-20 FIBER OPTIC PROJECTS OF VARIOUS LENGTHS

Federal/State Land

- **Identify Federal (BLM, FS, NPS, Native American) Lands & State Lands That May Be Crossed**
- **Agencies May Require Additional Environmental Review**
- **Documents Will Normally Meet Our Requirements and Take The Place of Our ERs**

Non-NEPA Issues



NON-NEPA ISSUES

- **ENDANGERED SPECIES**
- **CULTURAL RESOURCES**
- **FLOODPLAINS**
- **WETLANDS**

NON-NEPA ISSUE APPLICABILITY

Non-NEPA Issues	Action	
	Federal	Non-Federal
Endanger Species	Yes	Yes
Wetlands	Yes	Yes
Historic Resources	Yes	No
Land Use	Yes	No
Floodplains	Yes	No
Environmental Justice	Yes	No

Information

- **Agencies May Not Give Information**
- **Can Use Agency Websites For Information Without Directly Contacting The Agency**
- **Must Use Logic And Reason To Discuss Concerns**

ENVIRONMENTAL ISSUES

- **FIBER PROJECTS ISSUES**

CULTURAL REOURCES, T&E SPECIES,
WETLANDS

- **COMMUNICATION TOWER ISSUES**

CULTURAL RESOURCES, T&E
SPECIES, MIGRATORY BIRDS,
WETLANDS, FLOODPLAINS

WEBSITE EXAMPLE

- **Threatened & Endangered Species**
- **Get Species Listing From USFWS Site**
- **Evaluate T&E Species Requirements**
- **Using Requirements, Discuss As To Impact & Mitigation**
- **USFWS Communication Tower Mitigation (Co-location, Lighting, Marked Guy Wires)**
- **RUS Makes Final Determination**

CULTURAL RESOURCES

- **The NHPA requires that prior to the approval of the expenditure of any Federal funds, Federal agencies must take into account the effect of the undertaking on any site that is included in or eligible for inclusion in the National Register**

Section 106 Regulations

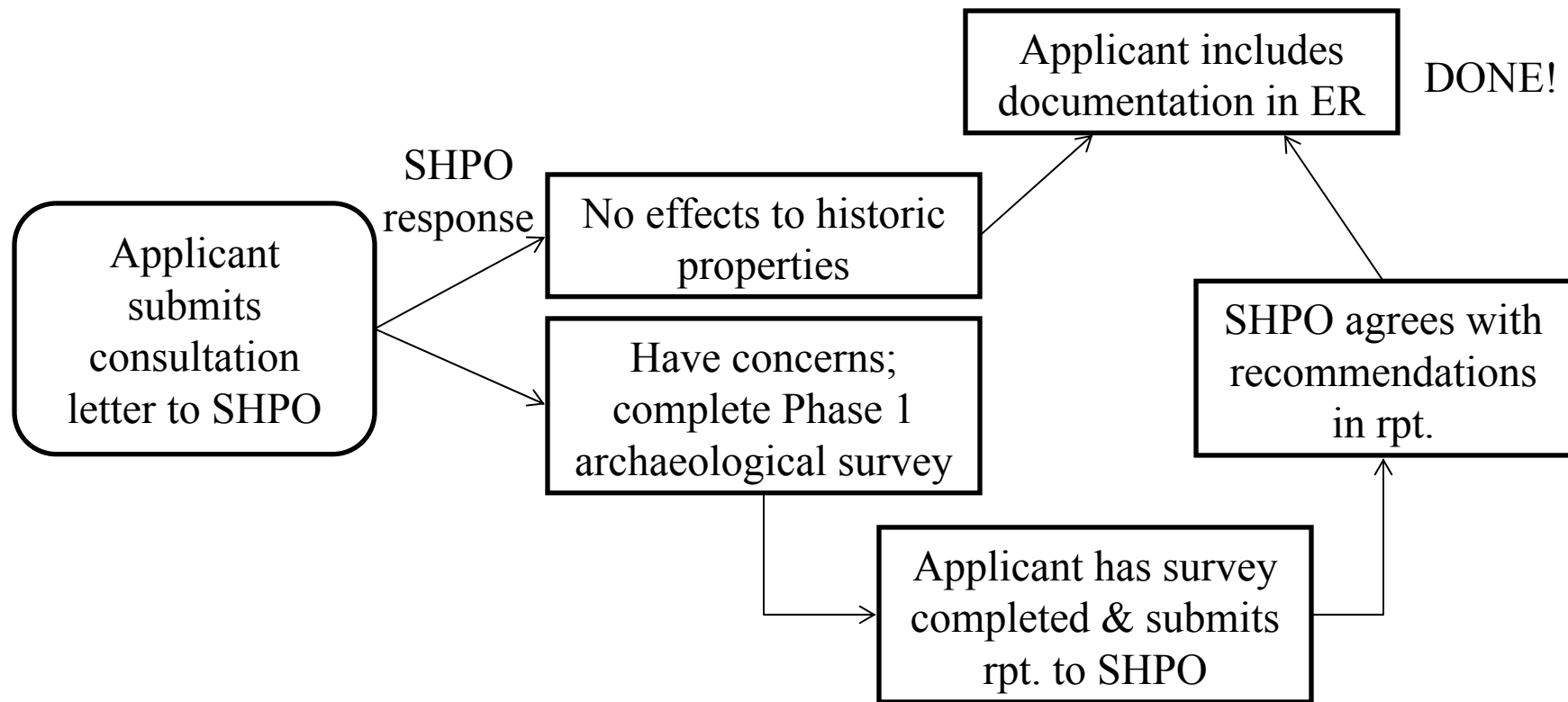
- **36 CFR PART 800—PROTECTION OF HISTORIC PROPERTIES**
 - **Sec. 800.2 Participants in the Section 106 process.**
 - **(c) Consulting parties. The following parties have consultative roles in the section 106 process. (Includes Indian Tribes)**

Cultural resources

- **Responsibilities**
- **Agency Requirements**
- **Existing ROWs**

RUS Traditional Implementation of S. 106

(95% of the time)



Historic Preservation

- **Categorical Exclusions**
 - NEPA Implementing Regulations
 - NHPA Programmatic Agreement
- **Section 106 Compliance Process**
 - RUS Ultimately Responsible
 - Borrower Delegated Some Responsibility
- **Need for Surveys**
 - File/Literature Search
 - SHPO Recommendation/RUS Determination

Historic Preservation

- **Timing**
 - Requirements vs Reality
- **Native American Participation**
 - Agencies Must Consult with Indian Tribes
 - Impacts to Properties Regardless of Location
- **Programmatic Agreements**
 - Working on several state –wide agreements

Native American Consultation

WHO DO I CONSULT WITH

- Tribes that live in the area**
- Tribes that used to live in the area**
- Tribes that have used the area**

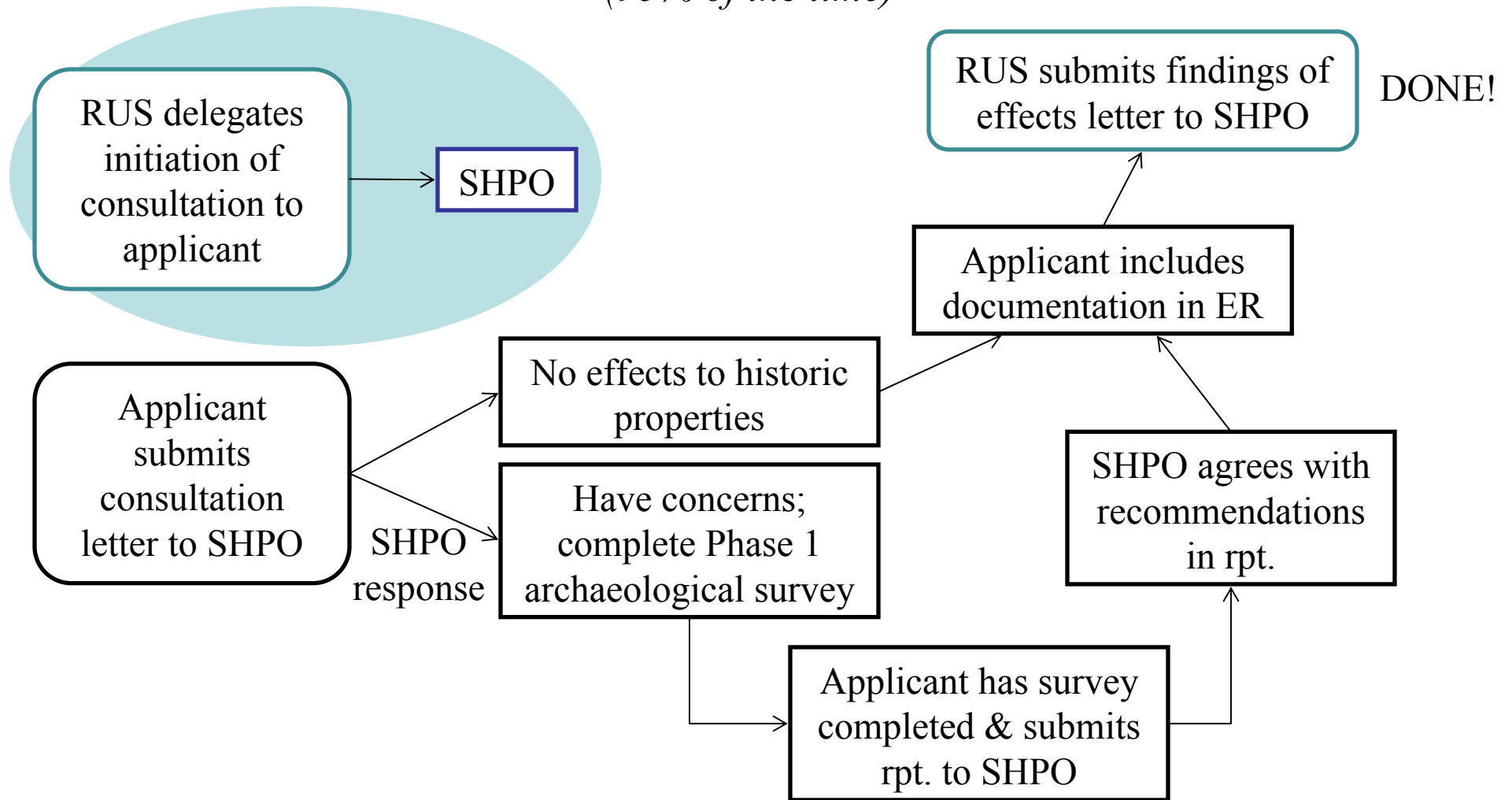
Native American Consultation

HOW TO FIND THEM

- **Web Sites (DOI-BIA, SHPO)**
- **Ask People (Tribes, SHPO, Historical Societies)**
- **Contact Other Federal Agencies In the Area (BLM, FS, BIA, NRCS)**

Goal for Implementation of S. 106

(95% of the time)



COMMUNICATION TOWERS

- **Unlicensed versus Licensed**
- **FCC Requirements**
- **FAA Requirements**

Streamlining - NHPA & NEPA Integration

- ARRA (Stimulus) -- Broadband Initiatives Program (BIP)
 - Program comment for tower construction licensed through FCC
 - Nationwide programmatic P.A. for buried cable installation
- Categorical Exclusion Form

**USDA, Rural Utilities Service
Broadband Infrastructure Program (ARRA)**

**Environmental Checklist for
Categorical Exclusions Form**

Name of Project:

Application No.:
TCNS No.:

Location ():

Environmental Questionnaire/Environmental Report Prepared: NO EQ ER
 S. 106 Findings - Not Undertaking Need Programmatic Agreement Proposal Includes Towers/Use FCC TCNS/e106 Process
 Undertaking - No Potential to Cause Affects No Historic Properties Affected No Adverse Effect to Historic Properties

Resources	Resources Present		Effects to Resources			Mitigation	
	Yes	No	No Effect	Affected	Conversion	Check Where Applicable	
Formally Classified Lands (Parks, Monuments, Wild and , , other Federal or .)							
Floodplains (100 or 500 year floodplains)							
Wetlands							
Historic Properties/Cultural Resources (Historic Properties listed or eligible for listing in the National Register of Historic Places, sites of cultural or religious significance to tribes)							
Biological Resources (Vegetative Clearing, Threatened or Endangered Species, Critical Habitat, State Listed Species)							
Water Quality (National Pollutant Discharge Elimination System or Water Appropriation Permits, Sole Source Aquifers)							
Coastal Resources (Coastal Zone Management Areas or Coastal Barrier Resources System; Consistency Determination)							
Socio-Economic/Environmental Justice Concerns							
Miscellaneous Issues (Air Quality, Transportation, Noise, Odors, etc.)							
	Yes	No					
Is the proposal controversial for environmental reasons. If so, attach a summary of the controversy(ies) and any actions taken and resolutions necessary to respond to the concerns.							
Is the proposal controversial for other than environmental reasons. If so, attach a summary of the controversy(s) and any actions taken and resolutions necessary to respond to the concerns.							